

**Before the
Federal Communications Commission
Washington, DC**

In the Matter of)	
)	
Request for Review of the Decision of the)	CC Docket No. 02-6
Universal Service Administrator by)	
)	
Pueblo City School District 60)	SLD File Nos. 692445 and 687279
Pueblo, CO)	
)	
Schools and Libraries Universal Service)	
Support Mechanism)	

REQUEST FOR REVIEW OR WAIVER

Pueblo City School District 60 (“School District”) hereby requests that the Commission review and reverse the Decisions on Appeal of the Universal Service Fund Administrator (“USAC”) in the above-captioned matter.¹ This matter involves only one issue: USAC’s refusal to grant a service delivery deadline extension request. USAC never considered the merits of the School District’s request. Instead, USAC rejected the School District’s request on procedural grounds (late filing):

FCC Rules related to the payment of support for discounted services establish deadlines for service providers to deliver services/products to the applicant. The FCC provides an extension of this deadline under certain conditions. Those conditions are documented in the Reference area on the USAC website (See Service Delivery Deadlines and Extension Requests for more information). In accordance with FCC Report and Order (FCC 01-195) released on June 29, 2001, in order to provide additional time to implement contracts or agreements with service providers for non-recurring services, applicants must submit documentation to the Administrator requesting relief on or before the original non-recurring services deadline. Your appeal has not brought forth clear information establishing that application for relief was made prior to this deadline. Therefore, your appeal is denied.

USAC, we submit, possesses or at least should possess the administrative authority to process late-filed requests like this one where the applicant has shown clearly

¹ Attached as Exhibit A are copies of the Administrator’s two decisions dated June 21, 2011. The FRNs in

that good cause exists for doing so. Accordingly, the School District respectfully requests that the Commission instruct USAC to grant the service delivery extension request and to process all invoices related to the three funding requests in issue. But if USAC does not possess that authority, then the School District respectfully requests instead that the Commission reach this same result by waiving its rules.

Flooding and a series of senior management changes are the reasons why the School District needed more time to complete its E-rate projects and why it missed the deadline for filing an extension request. Before it could do anything else after the flood, the School District first had to repair the substantial damage that its administrative building had sustained during the flood. The stress level for everyone involved in the repair and installation projects was already high, but because the School District was simultaneously in the throes of replacing senior managers, including the superintendent, it was magnified even more during this very difficult time.

In the School District's Letter of Appeal and supporting exhibits, the School District explains more fully what happened and why.² There, in addition to explaining to USAC why the flood caused the E-rate projects to be delayed, the School District also explained that the flood had a lot to do with why the School District missed the September 30th deadline for submitting its extension request.

In numerous other cases like this one where USAC has denied funding for missing a deadline, the Commission has routinely reversed those decisions, so long as the school or library had a good reason for missing it and there was no evidence of waste, fraud or abuse.³ Here, for reasons well beyond its control, the School District could not

² See Exhibit B, Letter of Appeal and supporting exhibits.

³ See *Request for Review of the Decision of the Universal Service Administrator by Alton Community Unit School District 11, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-518052, *et al.*, CC Docket No. 02-6, 25 FCC Rcd 7089 (Wireline Comp. Bur. 2010) (granting 49 appeals after finding good cause to waive USAC's deadline for filing FCC Forms 472 or 474); *Request for Review of the Decision of the Universal Service Administrator by ABC Unified School District, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-584091, *et al.*, CC Docket No. 02-6

complete its E-rate projects on time, and, for unfortunate but certainly understandable reasons, it missed the deadline for requesting more time. There is absolutely no evidence of waste, fraud or abuse, and it would not further any good E-rate policy purpose to deny funding to the School District in these circumstances. Accordingly, for all of the reasons articulated already to USAC and summarized here, the School District respectfully requests that the Commission grant this appeal.

Respectfully submitted,



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(Wireline Comp. Bur. 2011) (granting 24 appeals after finding good cause to waive USAC's deadline for filing FCC Forms 472 or 474); *Requests for Review of the Decision of the Universal Service Administrator by Alpaugh Unified School District et al.*, File Nos. SLD-523576, *et al.*, CC Docket No. 02-6, Order, 22 FCC Rcd 6035 (2007) (granting 78 appeals of applicants denied funding because they failed to respond to USAC's request for information within the USAC-specified time frame); *Request for Review of the Decision of the Universal Service Administrator by Alaska Gateway School District, Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-4 12028, *et al.*, CC Docket No. 02-6, Order, 21 FCC Rcd 10182 (Wireline Comp. Bur. 2006) (finding good cause to waive USAC's deadline for FCC Form 486 for several applicants); and *Request for Review of the Decision of the Universal Service Administrator by Sacred Heart School, Schools and Libraries Universal Service Support Mechanism*, File No. SLD-365343, *et al.*, CC Docket No. 02-6, (Wireline Comp. Bur. 2011) (finding good cause to waive the Commission's 60-day deadline for filing an appeal *and* the Form 471 filing deadline).

Exhibit A



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2009-2010

June 21, 2011

Daniel Combs
Pueblo City School District 60
315 W 11th St
Pueblo, CO 81003-2804

Re: Applicant Name: PUEBLO CITY SCHOOL DISTRICT 60
Billed Entity Number: 142321
Form 471 Application Number: 692445
Funding Request Number(s): 1902676, 1913196
Your Correspondence Dated: May 31, 2011

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2009 Administrator's Decision on Implementation Extension Request Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1902676, 1913196
Decision on Appeal: **Denied**
Explanation:

- FCC Rules related to the payment of support for discounted services establish deadlines for service providers to deliver services/products to the applicant. The FCC provides an extension of this deadline under certain conditions. Those conditions are documented in the Reference area on the USAC website. (See Service Delivery Deadlines and Extension Requests for more information.). In accordance with FCC Report and Order (FCC 01-195) released on June 29, 2001, in order to provide additional time to implement contracts or agreements with service providers for non-recurring services, applicants must submit documentation to the Administrator requesting relief on or before the original non-recurring services deadline.
Your appeal has not brought forth clear information establishing that application for relief was made prior to this deadline. Therefore, your appeal is denied.

If you believe there is a basis for further examination of your application, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be POSTMARKED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2009-2010

June 21, 2011

Daniel Combs
Pueblo City School District 60
1920 Montezuma Road
Pueblo, CO 81003-2804

Re: Applicant Name: PUEBLO CITY SCHOOL DISTRICT 60
Billed Entity Number: 142321
Form 471 Application Number: 687279
Funding Request Number(s): 1892406
Your Correspondence Dated: May 31, 2011

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2009 Administrator's Decision on Implementation Extension Request Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1892406
Decision on Appeal: **Denied**
Explanation:

- FCC Rules related to the payment of support for discounted services establish deadlines for service providers to deliver services/products to the applicant. The FCC provides an extension of this deadline under certain conditions. Those conditions are documented in the Reference area on the USAC website (See Service Delivery Deadlines and Extension Requests for more information). In accordance with FCC Report and Order (FCC 01-195) released on June 29, 2001, in order to provide additional time to implement contracts or agreements with service providers for non-recurring services, applicants must submit documentation to the Administrator requesting relief on or before the original non-recurring services deadline. Your appeal has not brought forth clear information establishing that application for relief was made prior to this deadline. Therefore, your appeal is denied.

If you believe there is a basis for further examination of your application, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be POSTMARKED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Exhibit B

Mr. Daniel E. Combs
Director of Technology
Pueblo City Schools District No. 60
719-549-7292

Data Center, 1920 Montezuma Drive / Pueblo, Colorado 81003

May 31, 2011

via e-mail: appeals@sl.universalservice.org

Letter of Appeal
Schools and Libraries Division – Correspondence Unit
100 South Jefferson Road
PO Box 902
Whippany, NJ 07981

LETTER OF APPEAL **Service Delivery Extension Denial for Funding Year 2009**

Applicant: Pueblo City School District 60
Entity Number: 142321
Funding Year: 2009
Form 471 Application #: 692445 and 687279
FRN Numbers: 1913196, 1902676, and 1892406
USAC Decision: April 26, 2011

Pueblo City School District 60 ("District"), by its undersigned representative, hereby appeals the service delivery extension denials by the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company in the above-captioned matter.

DISCUSSION

On February 4, 2011, Pueblo City School District 60 filed service delivery deadline extension requests for the FY2009 Forms 471 and funding requests referenced above. As part of the District's FY2009 applications, two internal connections projects were planned to purchase and install wireless internet access and video equipment. In the case of both projects, the service providers were unable to complete work under the FRNs listed above before the 9/30/2010 service delivery deadline for reasons that were beyond the service providers' or the District's control.

There were two primary reasons for the delay in delivering the services and also for filing the service delivery deadline request late: (1) a series of senior management changes that could not be helped; and (2) a flood at the district's administration building. In July 2009, the Superintendent at that time, Dr. Covington, resigned. Dr. Covington had approved both internal connection projects and was a major impetus for both projects. In September 2009, Kathy West was named Superintendent. By June 2010, Superintendent West had notified the School Board of her intention to resign. The School Board moved quickly to name Margarita Lopez as the new Superintendent¹. The new Superintendent needed a reasonable amount of time to familiarize herself with all of the pending projects, which caused some delay. Unfortunately, this rapid turnover in senior management had already impacted the staff responsible for e-rate projects and had already caused delays in the delivery of services. Because it was important to the District that these projects be managed carefully from both an engineering and a fiscal perspective, these delays simply could not be helped.

Making matters even worse, the District administration building flooded in July 2009, at the same time Dr. Covington resigned and Kathy West was named as Superintendent². Due to the number of services routed through the administration building, the District was forced to redirect time and attention to temporarily relocating equipment and records until such time as the administration facilities could be used again. Consequently, the E-rate projects had to be pushed back too. There was simply no other choice.

The various departments located in the Administration Building were displaced for several months. Upon returning to the building, the IT department and accounting departments continued to work to resolve the insurance claim and expenditure issues caused by the flood.

Finally, the District contracted with a separate service provider to provide necessary cabling work that needed to be completed before the WLAN equipment could be installed. The work this 3rd party service provider was to perform took longer than anticipated. By

¹ Please see Exhibit A for newspaper articles regarding the changes in administrative staff.

² Please see Exhibit B for newspaper articles regarding the flood and the immediate impact on the District. The last article attached refers to the pending insurance claims that the District was still handling.

the end of January 2011, the District had received and installed all the equipment. The senior administrative changes at the District and the flood were beyond the service provider's control and caused delays in the purchase and installation of equipment approved in the FRNs listed above.

In all of the confusion and stress caused by the administration building flood and the pressure to keep these projects moving in light of so many obstacles, the District missed the September deadline for filing its service delivery extension requests, but it filed them just as soon as the inadvertent error came to light. The District filed service delivery extension requests for each of the Forms 471 at issue and requested that the service delivery date of 9/30/2010 be extended to 12/31/2010 for Application #692445 and 1/17/2011 for Application #687279. Copies of both service delivery extension requests are attached as Exhibits C and D respectively. On April 26, 2011, the District received the SLD decision denying both service delivery requests. Copies of the denial letters are attached as Exhibit E. The reason for the denial was that the request was received after the 9/30/2010 deadline.

ADMINISTRATIVE ACTION REQUESTED

Due to the reasons listed above, the District would respectfully request that the service delivery extensions for Application #692445 and for Application #687279 be granted at this time. For Application #692445 and FRNs 1902676 and 1913196, the District requests a service delivery extension to December 31, 2010. For Application #687279 and FRN 1892406, the District requests a service extension to January 17, 2011.

Respectfully,



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Exhibit A - Flood Articles

Our Other Publications: | [High Roller](#) | [Friday Real Estate](#) | [Pueblo West View](#) | [Beyond the Fold](#) | [Active Years](#) | [Caminos](#)

District moving forward after the flood

A broken 4-inch water main caused flooding in admin building.

Tweet

Posted: Saturday, July 18, 2009 12:00 am | Updated: 5:16 pm, Thu Aug 20, 2009.

NICK BONHAM THE PUEBLO CHIEFTAIN |

Cleanup efforts could take two weeks for the Pueblo City Schools Administration building, which was flooded by 3 feet of water Thursday.

"We're thinking possibly in the one-week to two-week range. It's going to be a pretty extensive process in ripping out all the drywall," spokesman Greg Sinn, said

The total cost of damage was not yet known, Sinn said.

The flood happened in the basement of the 33-year-old building, where the district's printing shop is housed and student and personnel documents are stored.

"We've got some pretty expensive printing equipment. One Xerox copier alone costs \$200,000. There were some student documents as well as staff records down there, but we feel very confident that we will be able to salvage those."

Beginning Monday, Central High School will become the school district's temporary headquarters. About 80 employees work in the administration building.

Since the summer is a busy time for the print shop, Sinn said that the shop is "exploring options to ensure that all school printing requests will be ready when students return."

A 4-inch water line broke just west of the building early Thursday. The cause of the break is still being reviewed.

Sinn said the community has shown great generosity in helping the school district.

"A ton of Pueblo businesses said 'What can we do to help?' And that was much appreciated," he said.

Employees of the administration building may be contacted at Central High School's main telephone line of 549-7300.

nickb@chieftain.com

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LOCAL BRIEFS

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Posted: Friday, July 17, 2009 12:00 am | Updated: 5:12 pm, Thu Aug 20, 2009.

Flooded headquarters

The Pueblo City Schools District has been forced to temporarily move its administration operations to Central High School after the district's headquarters was flooded by a broken water main.

The school district's spokesman Greg Sinn said employees found the basement of the administration building at 315 W. 11th St. flooded with 3 feet of water when they reported to work Thursday morning.

A city water main reportedly had ruptured. The main and second floors were undamaged.

Sinn said the district's print shop machinery may have been destroyed and wasn't sure how many records had been damaged in the special education office. The amount of damage is undetermined.

An estimated 80 employees work in the administration offices.

Fair art show

Artists across Colorado will compete in the 2009 Colorado State Fair fine arts exhibition.

The Pueblo Chieftain

Your print and online news source for Southern Colorado

Friday, August 14, 2009

Pueblo City Schools' headquarters reopens

[Print Page](#)

The Pueblo City Schools' administration building has reopened.

August 14, 2009 12:02 am

The building at 315 W. 11th St. was closed on July 16 after a water main break flooded the basement.

First and second floor offices will be open for business at 7:30 a.m. today.

All of the district's operations that had to be relocated have returned to the administration building, with the exception of the print shop.

The print shop will continue to operate from the Keating Education Center, 215 E. Orman Ave., until renovation work in the basement of the administration building is completed.

The athletic, fine arts and social studies offices are located on the second floor. The Exceptional Student Services department temporarily will be located on the first floor.

- Gayle Perez

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City schools offices still under repair

Employees are expected to move into the basement area by mid-September.

Tweet

Posted: Friday, August 21, 2009 12:00 am | Updated: 7:32 pm, Tue May 11, 2010.

By JOHN NORTON

THE PUEBLO CHIEFTAIN |

Pueblo City Schools staff members should be back in their basement offices by mid-September, according to Mark Gazette, the district's director of facilities management.

A water pipe broke underground on Grand Avenue the morning of July 16, sending water into the basement of the building. The building has a sump pump to rid it of seeping ground water but the water came in so fast, it quickly rose to about 3 feet, shorting out wiring and disabling the pump.

The more than 200 workers in the building moved to Central High School until the building was deemed safe again for occupancy and those working on the first and second floors were able to return to their offices last week.

Gazette said that the price tag for cleanup and replacement of equipment had already reached \$1.5 million and work is still going on. All but a \$5,000 deductible is covered by insurance.

The loss of the district's print shop equipment and electrical panels proved to be the most expensive losses. Rented and borrowed copying machines were set up at the

Keating Education Center and other printing jobs have been jobbed out to shops around the city and even out of state, said Gary Shaufler, head of the district's printing operations.

Shaufler said that he hoped to have some operations back in the administration building basement next week if reconstruction work is completed and building officials grant a certificate of occupancy.

Gazette said that the biggest challenge was replacing electrical and heating systems. The water destroyed transformers and boilers, he said. The flooding also knocked out the telephone system, which still has not been restored. Workers are using cell phones until the system is restored.

In addition to replacing electrical and heating equipment, walls were torn out to a point above the flood level and replaced, along with linoleum and carpeting.

One unknown is still how much permanent damage was done to paper records. The special education department is in the basement and many of its files were drenched. Crews removed the boxes of files and had them freeze-dried, a technique used to reduce water damage to paper records. Later, the pages will be carefully separated and electronically scanned.

norton@chieftain.com

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Exhibit B - Leadership Changes

Adieu**Posted: Thursday, May 28, 2009 12:00 am**

JOHN COVINGTON will be leaving the superintendency of Pueblo City Schools this summer to take the helm of the Kansas City, Mo., school system.

Dr. Covington submitted his resignation to the Pueblo system board Tuesday evening, saying his last day at district headquarters will be **July 16**. We wish him well as he embarks on the task of leading a school system in a larger city.

His greatest accomplishment in his two-plus years at the Pueblo system was the development of its Strategic Plan. This was a road map put together by a broad spectrum of local business, civic and educational leaders to improve education in the city.

One of the key elements of the Strategic Plan was the implementation of the International Baccalaureate Program at Fountain Elementary and Corwin Middle schools to feed the existing IB Program at East High. Response to recruitment for this school year was heartening.

Dr. Covington and the school board also brought to the local district a National Institute for School Leadership program to train principals, teachers and anyone aspiring to be a school leader. The motto of that program is, "You really can't find an effective school that doesn't have an effective principal."

Strong leadership is one of the keys to improving student achievement. The program has borne fruit in Massachusetts.

There, 1,000 principals who participated in NISL training have led that state in raising its student test scores to second in the world behind only Singapore on the Trends in International Mathematics and Science Study test. Pueblo City Schools will use the same test to determine how the district ranks internationally.

The challenge for the City Schools Board of Education as it considers Dr. Covington's replacement is to insist that the Strategic Plan be followed. That plan was produced by people who know what today's work force needs in the education of its new entrants.

John Covington came to Pueblo wanting positive results in improving public education. His successor should be no less desirous of the same.

Board plans superintendent search

JOHN NORTON THE PUEBLO CHIEFTAIN | Posted: Thursday, July 16, 2009 12:00 am

Pueblo City Schools staff members and the public will be asked to help recruiters define what the district needs in a new superintendent.

Bob Cito, special projects consultant with the Colorado Association of School Boards, met with the district's school board Wednesday to go over the plan for a series of focus groups.

On July 30, Cito plans to hold daylong sessions in the board meeting room. The board endorsed the idea to hold meetings at 9 a.m. with teachers and other staff, 10:15 a.m. with administrators, 1 p.m. with other staff members unable to make the morning session and two community meetings at 2:30 and 6 p.m.

Cito also wants to have a meeting with the Pueblo Education Consortium, a group consisting of representatives from school districts, colleges and employers.

Comments from people attending the focus groups would be used to develop a set of priorities for screening candidates for the superintendent's job.

The position has been vacant since John Covington left in June to become superintendent in Kansas City, Mo.

Associate Superintendent Kathy West has been filling the post in the interim.

Cito plans to meet with board members again on Aug. 6 to outline the priorities developed from the focus groups. Deadline for applicants is Aug. 14.

He said that board members would not be able to attend the meetings.

Board President Stephanie Garcia asked what would happen if someone from town who wanted to apply for the job came and started listing their own qualifications. Cito said that would be obvious later and could backfire on them. "Perceptions can be as valid as facts," he said.

norton@chieftain.com

New superintendent

By THE PUEBLO CHIEFTAIN | Posted: Monday, September 21, 2009 12:00 am

WE WELCOME Kathy West as the new Pueblo City Schools superintendent, chosen last week by the Board of Education. She had been interim superintendent since her predecessor, John Covington, left in June to become superintendent of the Kansas City, Mo., schools.

Pueblo's new superintendent has experience in the district, having served the previous two years as associate superintendent and as interim superintendent after Joyce Bales left for California more than three years ago.

This year's three other finalists were Pueblo County Superintendent Dan Lere, Marc Walker of the Comal Independent School District in Texas and Paul Durand of the Winona, Minn., Area Schools.

Superintendent West has expressed a commitment to the Pueblo City Schools Strategic Plan that was launched during Dr. Covington's tenure at the helm. The laudable goal is to transform the City Schools into a world-class district.

An important element of the plan is performance-based pay for teachers. We hope Kathy West will pursue the merit-pay idea in cooperation with the teachers union, her administration and the school board.

It was encouraging that Carol Partin, president of the Pueblo Education Association, greeted the West appointment by saying, "The teachers want to work with Kathy to make the district the best it possibly can be."

After having two superintendents come and go - Dr. Covington after three years and Dr. Bales after nearly six years - the City Schools now have a homegrown leader. Board member Dan Comden said he supported her choice as a person who can build trust with the employee unions and provide continuity.

Good luck to Kathy West in her new, challenging role as school superintendent. We expect continued success with the Strategic Plan.

City Schools seeks deputy chief

By JOHN NORTON | norton@chieftain.com | Posted: Tuesday, April 20, 2010 12:00 am

Pueblo City Schools Superintendent Kathy West has begun the search to fill the No. 2 job at the district, advertising this week for a deputy superintendent.

West held the position as associate superintendent until early last summer. When Superintendent John Covington left to take the Kansas City, Mo., superintendent's job, she stepped in as interim superintendent and later was hired to take the top job.

According to the help-wanted listing on the district's Web site, the deputy's salary will be a minimum of \$100,000, but carries a qualification that even West could not meet if she applied for the job herself: a doctorate in educational leadership.

When West, who holds a master's degree, was hired last year, the vote was 4-1 with Kathy DeNiro, who has a doctorate in education, opposed to hiring a superintendent without a doctorate.

The new deputy also will have to have at least three years of experience in a central office and experience as a teacher and principal.

West has indicated she has plans to reorganize the administration, but was in meetings Monday and not available for comment.

Recently, two top city schools administrators were finalists for superintendent jobs in other Colorado cities.

Brenda Krage, executive director of secondary education and career and technical programs, and Tammy Clementi-Watson, chief academic officer of instructional support and educational accountability, had applied in Salida and Englewood, respectively. Both jobs were filled by other applicants. Both women, however, have doctorates.

Superintendent Kathy West to step aside

By JOHN NORTON | norton@chieftain.com | Posted: Friday, June 4, 2010 12:00 am

After a little more than a year in Pueblo City Schools' top job, Kathy West will be stepping aside as early as the end of this month.

The board of education amended West's contract Thursday night to note her plans to retire from the district Oct. 31, 2011. She will continue working though, and upon the hiring of an interim superintendent, West would become "superintendent emeritus" and take over the running of the district's magnet schools. There currently are magnet programs at East High School and Fountain and Corwin international magnet schools. She'll continue to get her current salary of \$185,000. The money, however, will come from magnet school grant funding, according to Board President Stephanie Garcia.

West and her staff recently put together an application for federal funds to develop magnet programs at Central High School and Bessemer Academy focusing on a renewable energy curriculum.

In reading the resolution, Garcia said, "Several personal tragedies in recent months have caused West to look to a plan to facilitate her retirement while allowing the board to thoughtfully and deliberately fashion a positive transition."

Just a short time after she was hired last year to replace Superintendent John Covington, West's husband died and within weeks, her mother also died.

West still has a son at home and Garcia said, "Speaking as a mother, I think she has her priorities in the right place."

Once an interim superintendent is hired, or when a permanent appointment is made, West said, "I will support a new superintendent as I have every other person I've ever worked for."

West said after the announcement, "Eight months ago things were different and my career was still ahead of me.

"When I accepted the position of superintendent, I committed myself fully to leading quality education for the youth of Pueblo and furthering the community led Strategic Plan.

"I never anticipated the personal challenges I would face."

Garcia said she hoped to have an interim superintendent hired by the end of June and that the search for a deputy superintendent had been cancelled.

District begins search for new superintendent

Posted: Tuesday, June 8, 2010 12:00 am

Pueblo City Schools will be removing a job posting this week for a deputy superintendent and putting up a new one for an interim superintendent.

District spokesman Greg Sinn said that the application deadline will be noon June 22 so that the school board can review candidates at its regular meeting that evening. Board President Stephanie Garcia has said she would like to name a person to the job by the end of June.

Sinn said that the National Institute for School Leadership, which has been training district administrators, will be asked to help with a national search.

Last week, Superintendent Kathy West announced plans to retire Oct. 31, 2011, but also said she would step aside once an interim superintendent was found. She then would take on the title of “superintendent emeritus” and be in charge of the district’s magnet school program.

— John Norton

City schools may make change at top

Posted: Wednesday, June 9, 2010 12:00 am

The Pueblo City Schools Board of Education will be asked to vote this afternoon on a reorganization of the district's central administration.

Savings from a reorganization of the central office has been mentioned at several meetings where the budget for the coming year was discussed.

Superintendent Kathy West has said that the changes she'll recommend will save money. She had said at one meeting, the reorganization would provide a net spending reduction of \$259,000. That number could be higher since it was based on the addition of a deputy superintendent, which is no longer planned. That job opening has dissolved with the announcement last week that West was going to step aside as superintendent by as early as the end of this month and take on the job of managing the magnet schools under the title "superintendent emeritus" until she retires at the end of October 2011.

The board also has a personnel item on the agenda but district officials declined to say who it involves.

— *John Norton*

Finalist named for interim superintendent's job at city schools

By JOHN NORTON | norton@chieftain.com | Posted: Wednesday, June 23, 2010 12:00 am

In what could be a record for speediness, the Pueblo City Schools Board of Education settled on a single finalist for the interim superintendent job six hours after the deadline for applications closed.

The board approved offering the job to Margarita "Maggie" Lopez, currently the assistant superintendent for learning services in Academy School District 20 in Colorado Springs.

Kathy West, who is stepping aside to become superintendent emeritus with the job of managing the district's magnet school program, told the board, "I think this is an excellent selection for the leadership of this district for the future."

While the title is interim superintendent so that West can soon move to her new responsibilities, Board President Stephanie Garcia has said that whoever gets the position would be in a good position to have the job on a permanent basis.

Garcia added that Lopez had applied for the job several years ago when the board hired John Covington "and we were glad to see her name again."

District spokesman Greg Sinn said that the district had advertised the job in the national publication Education Week and through the Colorado Association of School Boards and the Colorado Association of School Executives and got a dozen qualified applicants, the majority from out of state.

According to the resume she submitted, Lopez has spent her career as an educator in Colorado Springs, starting out in 1977 as an elementary school teacher in District 11.

After supervising the district's gifted and talented program for several years, she became principal at Helen Hunt Elementary School in 1993 and joined the District 20 administration in 2002.

Lopez earned her Bachelor of Arts degree from the University of Northern Colorado in 1977, her master's degree in education at the University of Colorado at Colorado Springs in 1987 and a doctorate from the University of Colorado Denver, in 2003.

In addition to settling on a candidate for the superintendent's job, the board also made a number of other assignments.

Matt Lane was named principal of Central High School, replacing Fred Trujillo who reportedly had taken a job as a principal in Pecos, N.M. Lane has been an assistant principal at Roncalli Middle School.

Central has been designated a “transformational” school under the No Child Left Behind law because of low test scores. That mandates changes in staffing and one of the jobs that might have been affected was the principal’s.

There was some last-minute maneuvering with an administrator from another affected school. Risley Middle School is on “turnaround” status and two weeks ago the board named Charlotte Macaluso to the principal’s job there.

The board took action early in Tuesday night’s meeting to terminate former principal Gerard Flores’ contract but later amended that when West said she had received his resignation in an e-mail.

The board also appointed Julie Hibbard from Mesa, Ariz., to be principal at Beulah Heights Elementary School where Danielle Romero, who had been principal, had resigned.

In other business, the board approved a budget for the 2010-11 school year with a general fund allocation of \$118.4 million — down from the \$122.3 million this year.

While cutting spending was painful enough this year, Board President Stephanie Garcia said she was concerned state funding could be cut more on the news that the state is facing an additional shortfall as it enters its fiscal year.

City Schools terminates former superintendent

By GAYLE PEREZ | gperez@chieftain.com | Posted: Friday, August 13, 2010 12:00 am

Pueblo City Schools Superintendent Emeritus Kathy West's 39-year career with the district ended abruptly Thursday after the school board voted unanimously to terminate her contract.

Her termination is effective immediately.

School board President Stephanie Garcia said she couldn't discuss the reason for the termination because it was a personnel issue.

West waived her right to a 30-day written notice of termination, as required by her contract.

Calls to West were not returned Thursday.

West will be paid her base salary of \$185,000 through Oct. 31, 2011, which is the end of the original contract period. She also will be paid for all unused, earned vacation and sick time accumulated through Thursday.

West stepped down as superintendent in June. At that time, she was given the title of superintendent emeritus and was charged with overseeing the district's magnet school programs.

West's salary was being paid through grant money. Garcia said the district is unable to use magnet school grant money to pay the remainder of West's salary. The district hasn't yet decided how the salary will be funded.

Garcia said the district plans to hire someone for the magnet school position.

West was hired in September to replace John Covington, who had resigned to take the superintendent's post in Kansas City, Mo.

Eight months into her tenure, West stepped down as superintendent following the deaths of her husband and mother, which prompted her to look toward retirement.

West announced she would retire Oct. 31, 2011.

In June, the board hired Maggie Lopez to be the interim superintendent. Lopez started the job last week.

West began as a teacher at Hyde Park Elementary School in 1971. She was promoted to principal at Eastwood Heights, now Eva Baca Elementary, in 1985.

In 1992, she moved to Goodnight School, where she initiated several positive changes to include a modified year-round calendar and a preschool through eighth-grade school.

During her tenure as principal of Goodnight, West's students consistently scored well on the standardized tests.

In 2004, West left Goodnight to become the district's executive director of human resources. She also served as interim superintendent when Joyce Bales left in 2006.

West was named the associate superintendent in 2007 and again stepped in as interim superintendent after Covington left in June 2009, and was hired three months later to the position permanently.

Exhibit C

Service Delivery Deadline Extension Request

APPLICANT INFORMATION

APPLICANT NAME Pueblo City School District 60	BILLED ENTITY NUMBER 142321
CONTACT NAME Daniel E. Combs	CONTACT PHONE 719-549-7292
CONTACT E-MAIL Daniel.combs@pueblocitieschools.us	
SUBMITTED BY (if other than Contact shown above) Daniel E. Combs	

FUNDING REQUESTS

FORM 471 APPLICATION NUMBER 692445	FUNDING REQUEST NUMBER(S) 1902676 and 1913196
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SERVICE PROVIDER INFORMATION

SERVICE PROVIDER NAME IVCI, LLC	SPIN 143023310
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REASON FOR EXTENSION REQUEST

☒ The applicant requests an extension because the service provider was unable to complete delivery and installation for reasons beyond the service provider's control.

☐ The applicant requested an extension because the service provider has been unwilling to complete delivery and installation after USAC withheld payment for those services on a properly-submitted invoice for more than 60 days after submission of the invoice.

☐ Other (Provide brief explanation of reason below)

REASON FOR SERVICE DELIVERY DEADLINE EXTENSION REQUEST

Pueblo City Schools respectfully requests a service delivery deadline extension until December 31, 2010. The service provider was unable to complete work under both of the FRNs listed above before the 9/30/2010 service delivery deadline for many reasons that were beyond the service provider's control. The District underwent a series of senior management changes. These changes had a direct impact on staff responsible for e-rate projects and caused delays in the delivery of services. In addition, the District administration building flooded. Due to the number of services routed through the administration building, the District was forced to redirect time and attention to first temporarily relocating equipment and records until such time as the administration facilities could be used again. These issues at the District level were beyond the service providers control and caused delays in the purchase and installation of equipment approved in the FRNs listed above. The District has now received and installed all the equipment and is respectfully requesting that the service delivery date of 9/30/2010 be extended to 12/31/2010 so that the District can invoice and recognize the discounts previously approved by the SLD.


Signature

4 Feb 2011
Date

Exhibit D

Service Delivery Deadline Extension Request

APPLICANT INFORMATION

APPLICANT NAME Pueblo City School District 60	BILLED ENTITY NUMBER 142321
CONTACT NAME Daniel E. Combs	CONTACT PHONE 719-549-7292
CONTACT E-MAIL Daniel.combs@pueblocitieschools.us	
SUBMITTED BY (if other than Contact shown above) Daniel E. Combs	

FUNDING REQUESTS

FORM 471 APPLICATION NUMBER 687279	FUNDING REQUEST NUMBER(S) 1892406
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SERVICE PROVIDER INFORMATION

SERVICE PROVIDER NAME MSN Communications	SPIN 143013080
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REASON FOR EXTENSION REQUEST

- ☒ The applicant requests an extension because the service provider was unable to complete delivery and installation for reasons beyond the service provider's control.
- ☐ The applicant requested an extension because the service provider has been unwilling to complete delivery and installation after USAC withheld payment for those services on a properly-submitted invoice for more than 60 days after submission of the invoice.
- ☐ Other (Provide brief explanation of reason below)

REASON FOR SERVICE DELIVERY DEADLINE EXTENSION REQUEST

Pueblo City Schools respectfully requests a service delivery deadline extension until Jan. 17, 2011. The service provider was unable to complete work under both of the FRNs listed above before the 9/30/2010 service delivery deadline for many reasons that were beyond the service provider's control. The District underwent a series of senior management changes. These changes had a direct impact on staff responsible for e-rate projects and caused delays in the delivery of services. In addition, the District administration building flooded. Due to the number of services routed through the administration building, the District was forced to redirect time and attention to first temporarily relocating equipment and records until such time as the administration facilities could be used again. These issues at the District level were beyond the service providers control and caused delays in the purchase and installation of equipment approved in the FRNs listed above. Finally, the District contracted with another service provider to provide necessary cabling work that needed to be completed before the WLAN equipment could be installed. The work this 3rd party service provider was to perform took longer than anticipated. The District has now received and installed all the equipment and is respectfully requesting that the service delivery date of 9/30/2010 be extended to 1/17/2011 so that the District can invoice and recognize the discounts previously approved by the SLD.


Signature

4 Feb 2011
Date



Universal Service Administrative Company

Schools and Libraries Division

Administrator's Decision on Implementation Extension Request

April 26, 2011

Daniel Combs
PUEBLO CITY SCHOOL DISTRICT 60
1920 Montezuma Road
Pueblo, CO 81003-2804

471 Application Number: 687279
Funding Request Number(s): 1892406
Your Correspondence Dated: February 10, 2011

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your implementation extension request. This letter explains the basis of USAC's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your request included more than one Form 471 Application, please note that for each application you will receive a separate determination letter.

Decision on Appeal: **Denied in full**

Explanation: Request received after the FCC deadline for implementation deadline Extension Request which was 09/30/2010.

In accordance with the FCC Report and Order (FCC 01-195) released on June 29, 2001, the Administrator may grant an extension of time for the implementation of non-recurring services if the implementation is delayed for circumstances beyond the named service provider's control. You have been unable to establish such circumstances.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:

- Appellant name,
 - Applicant or Service Provider name,
 - BEN and/or SPIN,
 - Form 471 and FRN,
 - Invoice number as assigned by SLD,
 - "Administrator's Decision on Implementation Extension Request" dated April 26, 2011
- AND**
- The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
 4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by USAC's decision.
 5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, send your appeal to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal
 Schools and Libraries Division – Correspondence Unit
 30 Lanidex Plaza West
 PO Box 685
 Parsippany, NJ 07054-0685

While we encourage you to resolve your appeal with USAC first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
 Universal Service Administrative Company

cc: Michael Aukamp, MSN Communications



Universal Service Administrative Company

Schools and Libraries Division

Administrator's Decision on Implementation Extension Request

April 26, 2011

Daniel Combs
PUEBLO CITY SCHOOL DISTRICT 60
1920 Montezuma Road
Pueblo, CO 81003-2804

471 Application Number: 692445
Funding Request Number(s): 1902676, 1913196
Your Correspondence Dated: February 10, 2011

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Schools and Libraries Division
 Universal Service Administrative Company

cc: Radha Ramchandran, IVCI, LLC